

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

14 CR 399 (ENV)

DECLARATION

-against-

ABRAXAS J. DISCALA, et al.,

Defendants.

CHARLES A. ROSS, a member of the Bar of this Court, hereby declares the following to be true pursuant to 28 U.S.C. § 1746:

1. I am a member of the firm of Charles A. Ross & Associates, attorneys for Abraxas Discala, one of the defendants in the above-captioned matter.
2. I make this declaration in support of Discala's motion for an order suppressing the fruits of the two-month long wiretap of Mr. Discala's cellular telephone and the search warrant of the offices of OmniView Capital Advisors or for an evidentiary hearing pursuant to *Franks v. Delaware*, 438 U.S. 154 (1978), and for such other and further relief as this Court may deem proper.
3. The factual representations contained in the accompanying memorandum of law are true based on my own knowledge or belief derived from the defense investigation, transcripts of proceedings before the Court, discovery provided by the government, and the government's representations to counsel.

I declare under penalty for perjury that the foregoing is true and correct.

Dated: New York, New York
September 15, 2017



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